

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TENNILLE VIAU, *et al.*,

Plaintiffs,

Civil Action No. 21-11169

v.

Mark A. Goldsmith  
United States District Judge

CITY OF TROY, *et al.*,

Defendants.

David R. Grand  
United States Magistrate Judge

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**ORDER GRANTING “MOTION TO  
WITHDRAW THE ATTORNEYS” (ECF No. 29)**

Before the Court is a “Motion to Withdraw the Attorneys,” which was filed by plaintiff Tennille Viau on November 17, 2021. (ECF No. 29). In this motion, Viau asks the Court to discharge her attorneys, Kevin Ernst and Hanna Fielstra, from representing her and her minor daughter (collectively “Plaintiffs”) in this matter. (*Id.*). No response was filed to this motion.

On January 7, 2022, Viau’s motion was referred to this Court for hearing and determination pursuant to 28 U.S.C. § 636(b)(1)(A). (ECF No. 32). Oral argument was held on April 21, 2022, with Viau, attorney Ernst, and counsel for defendants all appearing before the Court.

Having fully considered the facts set forth in Viau’s motion and accompanying brief, as well as the arguments advanced at the hearing, the Court finds it appropriate to discharge Ernst and Fielstra as counsel for Plaintiffs in this case. Specifically, Viau has alleged a breakdown of the attorney-client relationship, and neither Ernst nor Fielstra has

objected to the termination of his or her respective legal representation of Plaintiffs in this matter. Similarly, counsel for defendants have voiced no opposition to the relief sought.

For the foregoing reasons, and the additional ones set forth on the record, **IT IS HEREBY ORDERED** that Viau's "Motion to Withdraw the Attorneys" (**ECF No. 29**) is **GRANTED**. Attorneys Ernst and Fielstra are hereby terminated as counsel for Plaintiffs in this action.

At the hearing, Viau indicated her desire to obtain replacement counsel. However, months have passed since Viau filed the instant motion, and she has not yet secured such counsel. Thus, while Viau may still retain new counsel if she wishes, the Court advised Viau that she would be proceeding *pro se* at this point, and would be responsible for complying with all applicable rules and procedures.

**SO ORDERED.**

Dated: April 21, 2022  
Ann Arbor, Michigan

s/David R. Grand  
DAVID R. GRAND  
United States Magistrate Judge

**NOTICE TO THE PARTIES REGARDING OBJECTIONS**

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing, and to plaintiff Kenneth Lowman at 19600 W. McNichols, Detroit, MI 48219 on April 21, 2022.

s/Eddrey O. Butts  
EDDREY O. BUTTS  
Case Manager